

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

THE STATE OF TEXAS,

Plaintiff,

v.

MIGUEL CARDONA, in his official capacity
as Secretary of Education, et al.,

Defendants.

No. 4:23-cv-604-O

NOTICE OF APPEAL

NOTICE is hereby given that Defendants Miguel Cardona, in his official capacity as Secretary of Education; the United States Department of Education; Merrick B. Garland, in his official capacity as Attorney General of the United States; and the United States Department of Justice appeal to the United States Court of Appeals for the Fifth Circuit from the following opinions and orders:

- The Court's August 5, 2024 Order, ECF No. 44, amending its June 11, 2024 Memorandum Opinion and Order, ECF No. 37, and Final Judgment, ECF No. 38, which granted Plaintiff's Motion for Summary Judgment, ECF No. 23, and denied Defendants' Cross-Motion to Dismiss or, in the Alternative, for Summary Judgment, ECF No. 27.
- The Court's August 5, 2024, amended Memorandum Opinion and Order, ECF No. 45, granting Plaintiff's Motion for Summary Judgment, ECF No. 23, and denying Defendants' Cross-Motion to Dismiss or, in the Alternative, for Summary Judgment, ECF No. 27.

- The Court's August 5, 2024, amended Final Judgment, ECF No. 46.

Dated: October 3, 2024

Respectfully submitted,

BRIAN M. BOYNTON
Principal Deputy Assistant Attorney General

EMILY B. NESTLER
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/s/ John T. Lewis
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Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on October 3, 2024, a copy of the foregoing was filed electronically via the Court's ECF system, which effects service upon counsel of record.

/s/ John T. Lewis
John T. Lewis